

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

DURRELL A. BROWN,

Petitioner,

v.

M.D. McDONALD, Warden, et al.,

Respondents.

No. ED CV 09-1821-GHK (PLA)

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's report and recommendation filed herein and petitioner's objections. The Court agrees with the recommendations of the magistrate judge.

ACCORDINGLY, IT IS ORDERED:

1. The report and recommendation is adopted.
2. Respondent's Motion to Dismiss is granted.
3. Judgment shall be entered consistent with this order.
4. The clerk shall serve this order and the judgment on all counsel or parties of record.

DATED: February 2, 2010

  
HONORABLE GEORGE H. KING  
UNITED STATES DISTRICT JUDGE